

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ANTONIO RICHARDSON,

Petitioner,

v.

RONALD COLSON, Warden,

Respondent.

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Case No. 3:12-cv-409

Judge Trauger

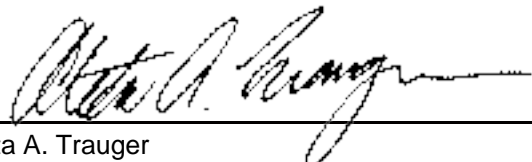
ORDER

Pursuant to the court's Order entered July 24, 2012, the petitioner, Antonio Richardson, has submitted his Motion to Proceed *in Forma Pauperis* on Appeal (ECF No. 21) along with a supporting Declaration (ECF No. 22). Because the petitioner's submission demonstrates that he is financially unable to pay the filing fee, the motion is **GRANTED**.

The petitioner also submitted to this court a Motion for Certificate of Appealability (ECF No. 23) with supporting Memorandum (ECF No. 24). This court has already entered an order declining to issue a certificate of appealability and notifying the petitioner that he needed to seek a certificate of appealability directly from the Sixth Circuit Court of Appeals. Fed. R. App. P. 22(b)(1). The court declines to reconsider its prior determination. In any event, it is clear under the circumstances that the petitioner intended to submit his motion and memorandum directly to the Sixth Circuit.

The Clerk of Court is therefore **DIRECTED** to strike the motion from the docket and to forward the petitioner's Motion for Certificate of Appealability and Memorandum (ECF Nos. 23 and 24) to the Sixth Circuit Court of Appeals for its review, and to give notice to the Sixth Circuit of this Order.

It is so **ORDERED**.



Aleta A. Trauger
United States District Judge